

A RESOLUTION AUTHORIZING EXECUTION OF A SECOND AMENDMENT TO AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF COMMERCE CITY AND THE AND THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT REGARDING FINAL DESIGN, RIGHT-OF-WAY ACQUISITION, AND CONSTRUCTION OF DRAINAGE AND FLOOD CONTROL IMPROVEMENTS FOR IRONDALE GULCH AT HIGHWAY 2

NO. 2023-116

WHEREAS, the Urban Drainage and Flood Control District (“District”) periodically analyzes and completes reports for major drainage ways and basins;

WHEREAS, the City and District entered into an Intergovernmental Agreement (“IGA”) for the final design, right-of-way acquisition, and construction of drainage and flood control improvements for Irondale Gulch (“Project”) on December 18, 2021;

WHEREAS, the City and the District approved the First Amendment to the IGA for the Project on October 29, 2022 for the purchase of a property at the proposed regional detention site located at 7420 East 86th Avenue within the City;

WHEREAS, Parties desire to approve the Second Amendment to the IGA to establish additional funding contributions and other obligations pertaining to acquiring right-of-way property and additional design and construction services for the Project as set forth in the attached Second Amendment of the IGA.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

SECTION 1. Findings. The dedication of additional funding contributions and other obligations allowing for the acquisition of property for the right-of-way as well as additional design and construction services for the Project is found to be in the best interests of the public and is hereby approved.

SECTION 2. Approval; Execution. Upon successful finalization of this amendment to the contract and approval as to form by the City Attorney, the Mayor is hereby authorized to execute, and the City Clerk to attest, the contract on behalf of the City.

RESOLVED AND PASSED THIS 6TH DAY OF NOVEMBER, 2023.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk